

Senate Transportation and Safety Committee 1

Amendment No. 4 to SB2693

**Bailey
Signature of Sponsor**

AMEND Senate Bill No. 2693

House Bill No. 1521*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() North Carolina State University;

SECTION 2. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a North Carolina State University new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall bear the official colors and logo of the North Carolina State University and shall include the language "NC State University" in an appropriate design. The design of the plates shall be approved by the North Carolina State University prior to production, and shall additionally afford the trademark protection as the North Carolina State University shall require as otherwise permitted by law. All uses of the colors and logo of the North Carolina State University shall inure to the benefit of the North Carolina State University.

(c) The funds produced from the sale of North Carolina State University new specialty earmarked license plates shall be allocated to the North Carolina State University Alumni Association in accordance with § 55-4-215. The funds shall be used

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exclusively to support academic enrichment for students, including scholarships and educational opportunities for students from Tennessee.

SECTION 3. Tennessee Code Annotated, Section 55-4-202(c)(5)(E), is amended by adding the following as a new, appropriately designated subdivision:

() Rakkasans;

SECTION 4. Tennessee Code Annotated, Section 55-4-203(c)(1), is amended by adding the following as a new, appropriately designated subdivision:

() Rakkasans;

SECTION 5. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new section:

(a) Distinctive license plates are authorized for active, retired, and honorably discharged members of the Rakkasans, which is the moniker for the 187th Infantry Regiment of the 101st Airborne Division (Air Assault) of the United States Army, in good standing. The plates are approved for display on motor vehicles that are authorized by § 55-4-210(c) and that are owned and operated, or leased by, a member or a member's spouse or child.

(b) The license plates shall bear an emblem distinctive of the Rakkasans and the language "Rakkasans" with a red torii and the Combat Infantry Badge. The plates shall be designed in consultation with an authorized representative of the 187th Infantry Regiment.

(c) The license plate authorized pursuant to this section shall be issued upon:

(1) Payment of the regular registration fee pursuant to this chapter;

(2) Payment of the fee prescribed by § 55-4-203(c); and

(3) Submission of documentation required by subsection (d) or (e).

(d)

(1) All applications pursuant to this section must be accompanied by military orders or other official documentation detailing an assignment to the 187th Infantry Regiment of the 101st Airborne Division (Air Assault) of the United States Army as proof of eligibility for issuance of a license plate pursuant to this section.

(2) In addition to providing the documentation required under subdivision

(d)(1):

(A) An active duty member of the 187th Infantry Regiment must present a valid military identification card or such other document as the commissioner designates as sufficient proof that the applicant is an active duty member of the military; or

(B) A retired or honorably discharged member of the 187th Infantry Regiment must present:

(i) A certified copy of the member's certificate of release or discharge from active duty, department of defense form 214 (DD 214);

(ii) A valid DD form 2 (Retired) military identification card;

or

(iii) A Tennessee driver license that indicates military service in accordance with § 55-50-354.

(3) An application pursuant to this section by a spouse or child of a member must be accompanied by documentation that:

(A) Is required from a member under subdivisions (d)(1) and (2);

and

(B) Provides sufficient proof that the applicant is the spouse or child of a member, including:

- (i) A valid DD form 1173 military dependent identification card;
- (ii) A marriage certificate;
- (iii) A birth certificate or certificate of adoption; or
- (iv) Other documentation designated by the commissioner.

(e) A surviving spouse of a deceased retired or honorably discharged member or of a member who died while on active duty shall be issued a license plate pursuant to this section, until the surviving spouse remarries, upon:

- (1) Complying with state motor vehicle laws relating to registration and licensing of motor vehicles;
- (2) Paying the regular registration fee pursuant to this chapter and the fee prescribed by § 55-4-203(c);
- (3) Providing documentation required under subdivision (d)(3); and
- (4) Providing a copy of the death certificate of the deceased.

(f) An applicant shall be required to submit the documentation required by subsection (d) or (e) only when initially applying for license plates under this section. Subsequent license plates under this section shall be issued to that person without the repeated presentation of documentation.

SECTION 6. Tennessee Code Annotated, Section 55-4-320, is amended by adding a cross-reference to the section created by Section 3 immediately after the language "§ 55-4-244," wherever it appears.

SECTION 7. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

- () Mountain Tough;

SECTION 8. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Mountain Tough new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain the logo or other appropriate design representative of the Mountain Tough Recovery Team. The plates shall be designed in consultation with Mountain Tough Recovery Team.

(c) The funds produced from the sale of Mountain Tough new specialty earmarked license plates shall be allocated to the Mountain Tough Recovery Team in accordance with § 55-4-215. The funds shall be used exclusively to help the residents of Sevier County who were affected by the wildfires in the Fall of 2016 with donations to repair the damage and destruction to their property and to provide related cleanup assistance.

SECTION 9. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Historic Maury;

SECTION 10. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Historic Maury new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be of an appropriate design representative of historic Maury County and bear an image of or a design depicting the Maury County Courthouse dome. The plates shall be designed in consultation with a representative of the Maury County Historic Society.

(c) The funds produced from the sale of Historic Maury new specialty earmarked license plates shall be allocated to the Maury County Historical Society in accordance with § 55-4-215. The funds shall be used exclusively to preserve Maury County history with donations to repair historic structures and to provide related services and activities.

SECTION 11. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Boone Lake Association;

SECTION 12. Tennessee Code Annotated, Title 55, Chapter 4, Part 3, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Boone Lake Association new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain the official logo or other design representative of Boone Lake Association. Such plates shall be designed in consultation with a representative of Boone Lake Association.

(c) The funds produced from the sale of Boone Lake Association new specialty earmarked license plates shall be allocated to the Boone Lake Association, in accordance with § 55-4-215. Such funds shall be used exclusively to support the organization's efforts to clean and maintain Boone Lake.

SECTION 13. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Suicide Prevention;

SECTION 14. Tennessee Code Annotated, Title 55, Chapter 4, Part 3, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Suicide Prevention new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be of an appropriate design to promote suicide prevention and shall be designed in consultation with the Tennessee Suicide Prevention Network.

(c) The funds produced from the sale of Suicide Prevention new specialty earmarked license plates shall be allocated to the Mental Health Association of Middle Tennessee in accordance with § 55-4-215. Such funds shall be used exclusively to support the Tennessee Suicide Prevention Network and the organization's suicide prevention programs and activities in this state.

SECTION 15. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Domestic Violence and Sexual Assault Awareness;

SECTION 16. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided

for in § 55-4-203, shall be issued a Domestic Violence and Sexual Assault Awareness new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be of an appropriate design representative of the Tennessee Coalition to End Domestic and Sexual Violence. The plates shall be designed in consultation with the Tennessee Coalition to End Domestic and Sexual Violence.

(c) In accordance with § 55-4-215, the funds produced from the sale of Domestic Violence and Sexual Assault Awareness new specialty earmarked license plates shall be allocated to the Tennessee Coalition to End Domestic and Sexual Violence, of which fifty-percent allocation, five percent (5%) shall be used by the coalition to defray administrative fees and the remaining forty-five percent (45%) shall be divided by the coalition equally between the sexual assault centers and domestic violence centers. The funds shall be used exclusively to promote awareness of domestic violence and sexual assault and to also provide additional funding assistance for the programs offered through the Tennessee Coalition to End Domestic and Sexual Violence.

SECTION 17. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Lung Cancer Awareness;

SECTION 18. Tennessee Code Annotated, Title 55, Chapter 4, Part 3, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Lung Cancer Awareness new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be of an appropriate design to raise and promote lung cancer awareness and shall be designed in consultation with an authorized representative of the Huff Project.

(c) The funds produced from the sale of Lung Cancer Awareness new specialty earmarked license plates shall be allocated to the Huff Project in accordance with § 55-4-215. Such funds shall be used exclusively to support the organization's programs and activities in this state.

SECTION 19. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following new subdivision:

() Methodist Le Bonheur Healthcare;

SECTION 20. Tennessee Code Annotated, Title 55, Chapter 4, Part 3, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Methodist Le Bonheur Healthcare new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The purpose of this plate is to recognize and celebrate Methodist Healthcare's one hundred (100) years of serving patients and families in the Memphis community.

(c) The plates provided for in this section shall contain an appropriate logo or design representative of Methodist Le Bonheur Healthcare that depicts its century of innovations and dedication to the future of medicine. The new specialty plate provided for in this section shall be designed in consultation with the administration at Methodist Healthcare.

(d) In accordance with § 55-4-215, the funds produced from the sale of the Methodist Le Bonheur Healthcare new specialty earmarked license plates shall be

allocated to Methodist Le Bonheur Healthcare, to be used to support its community health initiatives in this state.

SECTION 21. Tennessee Code Annotated, Section 55-4-202(c)(5), is amended by adding the following as a new subdivision:

() Cumberland University;

SECTION 22. Tennessee Code Annotated, Title 55, Chapter 4, Part 3, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles, and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Cumberland University collegiate license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The collegiate plates provided for in this section shall be of the colors and contain the logo of Cumberland University.

SECTION 23. Tennessee Code Annotated, Section 55-4-202(c)(5)(E), is amended by adding the following as a new, appropriately designated subdivision:

() Paratrooper;

SECTION 24. Tennessee Code Annotated, Section 55-4-203(c)(1), is amended by adding the following as a new, appropriately designated subdivision:

() Paratrooper;

SECTION 25. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, who is an active member or retired or honorably discharged veteran of the United States armed forces, and who, as part of the member or veteran's military duty, has been trained to jump from flying aircraft, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and upon paying the regular fee applicable to

the vehicle and the fee prescribed by § 55-4-203(c), shall be issued a paratrooper license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The application for such plate shall be accompanied by the following:

(1)

(A) A valid military identification card or such other document as the commissioner designates as sufficient proof that the applicant is an active member of the United States armed forces; or

(B)

(i) A certified copy of the veteran's certificate of release or discharge from active duty, department of defense form 214 (DD 214), honorable discharge certificate, department of defense form 256 (DD 256), or report of separation and record of service, NGB form 22, that indicates an honorable discharge characterization;

(ii) A valid DD form 2 (Retired) military identification card; or

(iii) A Tennessee driver license that indicates military service in accordance with § 55-50-354; and

(2) Documentation of satisfactory completion of the prescribed proficiency tests while assigned or attached to a military airborne unit or the airborne department of the United States army infantry school, to include:

(A) Military orders awarding the parachutist badge authorized by the United States army to the member or veteran;

(B) The veteran's certificate of release or discharge from active duty, department of defense form 214 (DD 214), or report of separation and record of service, NGB form 22, indicating the awarding of the parachutist badge; or

(C) The airborne course diploma issued to the member or veteran by the United States army infantry school.

(c)

(1) The design of such license plates that are issued pursuant to this section shall be colored red, white, and blue so as to be similar in hue and intensity to the coloration of the United States flag and shall bear the legend, "U.S. PARATROOPER."

(2) The license plates provided for in this section shall feature a likeness of the parachutist badge authorized by the United States army.

SECTION 26. Tennessee Code Annotated, Section 55-4-245, is amended by deleting the language "Tennessee Fraternal Order of Police" wherever it appears and substituting instead the language "Fraternal Order of Police".

SECTION 27. Tennessee Code Annotated, Section 55-4-245(b)(1), is amended by adding the language "a copy of an active membership card or" immediately after the language "shall be accompanied by".

SECTION 28. Tennessee Code Annotated, Section 55-4-245, is amended by deleting subsection (f) and substituting instead the following:

(f) Funds produced from the sale of Fraternal Order of Police specialty earmarked license plates shall be allocated to the Tennessee Fraternal Order of Police Charitable Foundation in accordance with § 55-4-215.

SECTION 29. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() I Stand with Israel;

SECTION 30. Tennessee Code Annotated, Title 55, Chapter 4, Part 3, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor

vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued an I Stand with Israel new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall be of an appropriate design and shall be designed in consultation with an authorized representative of the Tennessee Holocaust Commission.

(c) The funds produced from the sale of I Stand with Israel new specialty earmarked license plates shall be allocated to the Tennessee Holocaust Commission in accordance with § 55-4-215. Such funds shall be used exclusively to support the organization's programs and activities in this state.

SECTION 31. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() University of South Carolina;

SECTION 32. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a University of South Carolina new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall bear the official colors and logo of the University of South Carolina.

(c) In accordance with § 55-4-215, the funds produced from the sale of University of South Carolina new specialty earmarked license plates shall be allocated to the Shady Valley Watershed District, which is a nonprofit corporation pursuant to § 69-6-104(a)(5). The funds shall be used exclusively to maintain the drainage ditches and to

make other repairs to control the water level of the Beaver Dam Creek in the Shady Valley community of Johnson County, Tennessee.

SECTION 33. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Kiwanis International;

SECTION 34. Tennessee Code Annotated, Title 55, Chapter 4, Part 3, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Kiwanis International new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain the logo or other appropriate design representative of Kiwanis International. Such plates shall be designed in consultation with a Tennessee representative of Kiwanis International.

(c) The funds produced from the sale of Kiwanis International new specialty earmarked license plates shall be allocated to Children's Miracle Network in accordance with § 55-4-215. Such funds shall be used exclusively to fund child life departments of Children's Miracle Network Hospitals in this state.

SECTION 35. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() TN Back the Blue;

SECTION 36. Tennessee Code Annotated, Title 55, Chapter 4, Part 3, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor

vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a TN Back the Blue new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain the logo or other appropriate design representative of the Concerns of Police Survivors and shall include the language "Back the Blue". Such plates shall be designed in consultation with a Tennessee representative of the Concerns of Police Survivors.

(c) The funds produced from the sale of TN Back the Blue new specialty earmarked license plates shall be allocated to the Tennessee chapters of Concerns of Police Survivors in accordance with § 55-4-215. The funds shall be used to support the survivors, including spouses, parents, siblings, significant others, and affected co-workers, of state and local law enforcement officers in Tennessee killed in the line of duty through survivor benefits, counseling programs, scholarship programs, and other related programs and activities in this state that provide resources for survivors from Tennessee.

SECTION 37. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Down Syndrome Awareness;

SECTION 38. Tennessee Code Annotated, Title 55, Chapter 4, Part 3, is amended by adding the following as a new section:

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Down Syndrome Awareness new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked license plates provided for in this section shall contain the logo or other appropriate design representative of the Down Syndrome

Association of Middle Tennessee. The plates shall be designed in consultation with the Down Syndrome Association of Middle Tennessee.

(c) In accordance with § 55-4-215, the funds produced from the sale of the new specialty earmarked license plates shall be allocated to the Down Syndrome Association of Middle Tennessee. The funds shall be used solely to provide education, advocacy, and support resources for individuals with Down Syndrome and their families.

SECTION 39. Tennessee Code Annotated, Section 55-4-253(c), is amended by adding the following as a new, appropriately designated subdivision:

() For honorably discharged veterans who served during the period between the announcement of the Truman Doctrine on March 12, 1947, and the collapse of the Soviet Union on December 26, 1991, with this period being known as the Cold War, the American flag shall be in the center of the license plate and the strip along the bottom of the license plate shall read "Cold War Era Veteran." Nothing in this subdivision (c)() prohibits any veteran who served during this period from requesting issuance of the honorably discharged veteran plate that is authorized by subsection (a) or any other plate authorized by this subsection (c) for which the veteran qualifies.

SECTION 40. Tennessee Code Annotated, Section 55-4-237(c), is amended by deleting the subsection and substituting instead the following:

(c) Disabled veteran registration plates shall bear:

(1) The words "Disabled Veteran";

(2) A registration number composed of the prefix "DV" and a unique identifying number; and

(3) A representation of the United States flag in the background.

SECTION 41. The redesign of the Disabled Veteran license plates provided for in Section 40 of this act shall only be effectuated upon the existing inventory of the plates being utilized by the department of revenue.

SECTION 42. Tennessee Code Annotated, Section 55-4-331(d), is amended by deleting the language "July 1, 2018" and substituting instead the language "July 1, 2019".

SECTION 43. Tennessee Code Annotated, Section 55-4-313(f), is amended by deleting the subsection and substituting instead the following:

(f) Notwithstanding § 55-4-201(h)(1), the Niswonger Children's Hospital new specialty earmarked license plate authorized pursuant to this section shall have until July 1, 2019, to meet the applicable minimum issuance requirements of § 55-4-201(h)(1).

SECTION 44. Tennessee Code Annotated, Section 55-4-311, is amended by adding the following new subsection:

(d) Notwithstanding § 55-4-201(h)(1), the Martin Luther King, Jr. new specialty earmarked license plate authorized pursuant to this section shall have until July 1, 2019, to meet the applicable minimum issuance requirements of § 55-4-201(h)(1).

SECTION 45. Tennessee Code Annotated, Section 55-4-230, is amended by adding the following as a new subsection:

() Notwithstanding § 55-4-201(h)(1), the Save the Bees new specialty earmarked license plate authorized pursuant to this section shall have until July 1, 2019, to meet the applicable minimum issuance requirements of § 55-4-201(h)(1).

SECTION 46. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 47. This act shall take effect July 1, 2018, the public welfare requiring it.